

## **SELECTMEN'S MEETING MINUTES**

### **August 6, 2013**

Members Present: Mark Sullivan, Chairman  
Lorraine Brue, Vice Chairman  
John Gray, Clerk  
Ginny Coppola  
James DeVellis

Others Present: Acting Town Manager Bob Cutler  
Steve Champagne, Foxboro Country Club  
Kim Mellen, Rick Lewis and Judy Johnson of the NRRC  
DPW Director Roger Hill  
Planning Board member Gordon Greene  
Residents Matt Monahan, Mike Casey, Livia Binks  
Police Chief Ed O'Leary  
Town Planner Sharon Wason  
Richard Touzos of the Foxboro Sports Center  
Andy Felix of Tree Tech  
Dan Murphy of the Kraft Group  
Brian Early GM of Patriot's Place

The meeting was brought to order at 7:00 p.m. by Mark Sullivan, Chairman. Chairman Sullivan reviewed the agenda.

#### **Citizen's Input**

Rebecca Center of Baker Street is concerned with the traffic problems on Oak Street and North Street. She took a ride around town to check what the posted speed limits were and noted that most are around 35 mph. She could not find a speed limit sign on Payson Road or Oak Street. She feels most people do not go the posted speed limit and thinks the highway and police department should put up new signs for traffic enforcement.

DPW Superintendant Roger Hill stated that the committee for funding of the Common fence has found funds left from FY13 so the fence and posts have been ordered. It will take 8-10 weeks before they are received.

Sandra Herrmann wanted to recognize the longtime minute taker for the Board of Selectmen and the Advisory Committee, Pauline Hadley. The past year has been hard for her and she taught Ms. Herrmann the true meaning of dignity, courage and faith. A citation from the Board of Selectmen was read by Mr. Gray and Larry Thomas of the Advisory Committee stated that she will be greatly missed. Ms. Hadley thanked everyone for their good wishes and will miss it, she enjoyed her time here. The members of the Board wished her well.

Town Historian Jack Authelet wanted to thank everyone that worked on finding the funding for the Common Fencing. He also wanted everyone to know that there will be a presentation to Pete Turner for his 50 years of service to the town on August 27<sup>th</sup> at 5:30 p.m. A plaque will be presented that will be placed near the Inspections Department; it will also contain Building Permit #1 that was signed by Mr. Turner.

### **Chairman's Update**

Mr. Sullivan and Mr. DeVellis met with Dan Murphy to talk about future growth at Patriot Place.

### **Change of Manager at the Foxborough Country Club**

Mr. Gray is a member of the Country Club and recused himself from this discussion.

Steve Champagne came before the Board to inform them that the previous manager, Joanne Ouimet, is retiring so he has been named the new manager and will be named on the liquor license.

A motion to approve the Change of Manager for the Foxborough Country Club to Steve Champagne was made by Ms. Brue and seconded by Ms. Coppola. **The motion carried 4-0-1 with Mr. Gray abstaining.**

### **NRRC – NPDES Permit**

The Board met with Kim Mellen, Rick Lewis and Judy Johnson of the NRRC in regards to the National Pollutant Discharge Elimination System (NPDES) permit for the Neponset Reservoir. They are requesting that the Board sign a letter they have drafted to the EPA requesting they obtain a permit as one has not been issued since 1996. A copy of the letter will also be sent to the state representatives. They would also like a member of the Board appointed as a liaison to the committee as Lynda Walsh was their previous liaison.

The Board felt the wording of the letter was too harsh as it threatens legal action in the first sentence and accuses Invensys of doing something wrong and suggests that the wording be changed. The letter will be edited and sent to Mr. Cutler.

A motion to draft a letter to the Regional Administrator of the EPA with changes as noted this evening was made by Mr. DeVellis and seconded by Ms. Brue. **The motion carried 5-0-0.**

It was noted that on the town's website, there is listed as a committee the Neponset Reservoir Committee, that was the original committee that studied the dam at the reservoir twenty years ago and is no longer active. Mr. Cutler will check to see if it is still listed as an active committee or is just an oversight on the website.

Mr. Gray volunteered to be the new liaison to the NRRC.

### **Speed Limit on Payson Road**

The Board met with DPW Director Roger Hill, Planning Board member Gordon Greene, Matt Monahan of 44 Payson Road, Mike Casey of 40 Payson Road and Livia Binks of North Street in regards to the speed limit on Payson Road.

Gordon Greene stated that this was a discussion started by the residents of the area, but the Planning Board has an interest in this area as it has a great number of families and a town recreation area. Mr. Greene, Mr. Grieder and Town Planner Sharon Wason met with the residents, the DPW Director and the Fire Chief about this issue.

A solution for pedestrian and vehicular safety could be applied to other parts of town. The neighbors did research what similar communities did in similar situations.

They are proposing raised platforms in the area to slow traffic down. Chief Hatfield is satisfied that fire equipment will be able to safely travel over the platforms without damaging them. Mr. Hill feels that they will not impede snow removal. The platforms will be similar to the ones used at Patriot Place and they will be painted. It was also suggested that rumble strips could be carved into them.

It was noted that Payson Road's speed limit is lower than North Street.

Mr. Hill stated that the signage has been ordered and the platforms will be installed in September. This was ordered out of the existing budget and the total cost will be less than \$10,000. There will be two platforms on Payson and one install on North Street.

Ms. Binks asked if the situation could be re-evaluated in six months to see if a second platform would be needed on North Street. She also noted that it has been a pleasure working with the town boards and personnel.

### **Discussion on Satellite Parking**

The Board met with Police Chief Ed O'Leary and Town Planner Sharon Wason on the new regulations for Satellite Parking areas near the stadium. The regulations were originally written in the 1970's and needed some updates. The Chief has been meeting with the lot owners to get their input. The regulations were re-organized and some changes were made. Ms. Coppola also attended the meetings with the lot owners.

The Board asked if taxi parking is part of these regulations. They are not, but the Chief noted that new signs have been ordered for no parking or standing. There are various areas around the stadium that are being used for drop off/pick up and they will be monitored.

The new regulations will take effect with a vote of the Board.

Ron Young of the Lafayette House stated that regulation #14 which states that the Board is to be notified of the prices to be charged at the lots is hard to do as the pricing changes with the event and the weather so they asked that it be removed. The Board

and the Chief agreed that the condition could be removed. The rest of the regulations will be renumbered.

A motion to approve the revised Licensing Procedures and Regulations for Commercial Parking was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

### **Parking Agreement between Tree Tech and the Foxboro Sports Center**

The Board met with Town Planner Sharon Wason, Richard Touzos of the Foxboro Sports Center and Andy Felix of Tree Tech.

Mr. Cutler has reviewed the proposed agreement. Originally a group of owners met with Mr. Cutler and Board members in the area. Mr. Cutler suggests that they come to an agreement for the entire area and not just these two businesses.

The new rink should be open by the end of September. Mr. Touzos stated that he has been directing people to the new parking area off of Spring Brook.

Ms. Wason stated that the Planning Board is concerned with the safety of the access and the safety of the children.

### **Discussion on the Title of Selectmen**

Mr. DeVellis asked that this be brought forward. He would like to suggest that the Board members be known as a Select Board instead of Selectmen. A resident of town originally suggested it to him so he thought he would get the opinion of the Board.

Ms. Coppola stated that the term Selectmen is a title and it is a convention and has no problem with the title. Ms. Brue agreed. Mr. Gray stated that the state newsletter, The Beacon, refers to Selectmen and feels the title has a history to it.

### **Discussion on Digital Billboards**

A letter has been received from the Zoning Board of Appeals Chairman Neil Forster requesting the formation of a subcommittee to study and make recommendations on digital billboards. The ZBA has a number of applications before them for billboards and advertising on Route 1. The Planning Board's Master Plan process is looking at signs and billboards on Route 1 as part of their process.

Mr. Gray feels that Mr. Forster is looking for a direction and vision from the Board on how the town wants Route 1 to look. There was an article at a recent Town Meeting about electronic billboards and it failed.

Ms. Brue volunteered to head the sub committee and will contact Mr. Forster.

Mike Saegh, who is one of the applicant's going before the ZBA, stated that he thinks the Town Meeting vote was for a specific sign, not electronic billboards in general.

### **Gillette Stadium Alcohol Protocol**

Dan Murphy of the Kraft Group and Brian Early the GM of Patriot's Place came before the Board as a follow up to the presentation that was given earlier this year.

They wanted to review the incidence levels at Patriot Place. For the first half of this year there has been a 63% drop on police incidents and a 13% drop in fire/paramedic incidents. They feel this drop is directly related to a number of initiatives that have been implemented at the stadium such as the Safe Ride Home program. They have three taxis available on weekend nights to transport anyone who feels they had too much to drink home. The service has been used 164 times since April.

They have a consultant who works with the Liquor License holders to give more reinforcement than the TIPPS and Serve Safe programs.

They also have started the Be A Hero program which all Patriot Place establishments will participate in. This offers free non-alcoholic drinks to all designated drivers who sign up. They will be hosting a walk on October 20<sup>th</sup> to bring more awareness to this campaign.

They noted that there was an 86% drop in alcohol incidents comparing the recent Bon Jovi concert with last year's Bruce Springsteen concert. The Taylor Swift concert had 66% fewer arrests than her concerts in 2011.

The stadium works in collaboration with the Police and Fire Chiefs on all events.

Mr. DeVellis noted that their numbers match the town's numbers on the incidents reported. He thinks it's a good collaboration.

Ms. Brue thanked them and asked Mr. Cutler to follow-up with the information that was requested earlier this year from Chief O'Leary.

Mr. Cutler stated that he met with Mr. Murphy and suggests monthly meetings with the Town Manager and one member of the Board to continue this cooperative approach.

### **Action Items**

Michael Landcaster of the Foxboro Knights of Columbus sent in a request for the annual Tootsie Roll Drive at the road entrances to the Common. The Board questioned if the request was for one or two days. The Sunday date will be verified and put on a future agenda if necessary.

A motion to approve the request from the Foxboro Knights of Columbus to hold the Annual Tootsie Roll Drive at road entrances to the Common on Saturday, October 12, 2013 was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

The minutes from June 25, 2013 were reviewed.

A motion to approve the minutes of June 25, 2013 was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

The Foxboro Commission on Disability is requesting the appointment of Andrea Parsons to the Commission.

A motion to approve the appointment of Andrea Parsons to the Foxboro Commission on Disability to a term expiring on May 1, 2014 was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

The Town Clerk has requested the appointment of Election Workers to a one year term.

A motion to approve the list of Election Workers submitted except for Lauren Barnes who has moved out of town was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

Meredith Giannotti of Beth Israel Deaconess Hospital has submitted a request for a One Day Auctioneers License for a Cancer Center Fundraiser to be held at Gillette Stadium on November 2, 2013.

A motion to approve the request for a One Day Auctioneer's License on November 2, 2013 for Beth Israel Deaconess Hospital as requested was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

A request has been received from Tim Richmond of Max Performance to use a portion of Willow and East Streets for the Sharon Triathlon on August 11, 2013.

A motion to approve the use of Willow and East Streets for the bike course for the Sharon Triathlon on August 11, 2013 as requested was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

An application for a Class 1 License has been received from Kevin Matthews of the Alliance Rental Group at 3 Phelps Drive. This is an application for large motorized equipment such as backhoes.

A motion to approve a Class 1 Auto License at 3 Phelps Drive with an expiration date of January 1, 2014 was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

A letter has been drafted to be sent to the State House in support of House Bill H1115, which is an act relative to the definition of low and moderate income housing.

A motion to approve the Chairman signing the letter drafted on behalf of the Board and to send copies to the state representatives was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

A motion to adjourn the meeting to enter into Executive Session at 9:10 p.m. with the intention of returning to regular session was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

The Board returned to regular session at 10:12 p.m.

Mr. Sullivan stated that the Board of Selectmen has negotiated an agreement with Kevin Paicos to conclude his last year of employment as the Town Manager.

A motion to approve and sign the agreement reached with Kevin Paicos that was signed by him on August 4, 2013 was made by Ms. Brue and seconded by Mr. DeVellis. **The motion carried 5-0-0.**

Mr. Sullivan then stated that as part of the agreement both parties have agreed to release the following statement and a copy of the agreement.

The following statement was read by Mr. Gray:

This is a joint statement of the Board of Selectmen and Town Manager Kevin Paicos. In late May, the Foxborough Board of Selectmen and Town Manager Kevin Paicos announced a mutual agreement that his employment with the Town would not continue beyond June 30, 2014, the expiration date in his current Employment Contract.

The Board and Mr. Paicos have now reached a written Agreement to address the remaining eleven months of his employment. Under the Agreement, Mr. Paicos will not continue to hold the position of Town Manager but he will be paid his full salary and certain other benefits under his Employment Contract to perform a limited amount of work consistent with his former duties, with such work to be determined by the Board and the Acting or Interim Town Manager. The common goal is to insure that the Town's interest in pending matters is fully protected and that there is a smooth transition in the office.

The Board thanks Mr. Paicos for his services to the Town. Mr. Paicos thanks the Board and the citizens of Foxboro for the opportunity to serve as its Town Manager.

Robert Cutler, who has been serving as the Acting Town Manager since June 24, 2013, will continue in that capacity until further notice.

Mr. Sullivan stated that the Board has also negotiated into an agreement with Acting Town Manager Bob Cutler to continue in that position with a pay adjustment.

A motion to implement a stipend for a difference in pay rates between the Town Clerk and the Town Manager position, a difference of \$1,098 per week was made by Mr. Gray and seconded by Mr. DeVellis. **The motion carried 4-0-1 with Ms. Brue abstaining** as she believes the recruitment process needs to be addressed.

Mr. DeVellis noted that this vote does not ignore the need to move forward with the search for a new Town Manager but it is a necessary step to get through.

Mr. Gray stated that the recruitment process will begin in the near future.

A motion to authorize a \$6,588 retroactive stipend to Bob Cutler for acting as Town Manager from June 8, 2013 to the present time was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

It was noted that even though this is an eight week period, Mr. Cutler will only receive the stipend for six weeks.

The meeting was adjourned at 10:18 p.m.

Respectfully Submitted,

Diana Gray

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John R. Gray, Clerk